

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ROBERT BAXMEYER

-against-

HOME DEPOT USA, INC.
-----X

ORDER OF DISMISSAL

CV-05-0133 (DRH)

Defendant's counsel having submitted a letter dated May 6, 2005 indicating the case has settled and plaintiff's counsel having confirmed the settlement,

IT IS HEREBY ORDERED that the case is dismissed.

The clerk is directed to close this case.

SO ORDERED.

/s/
DENIS R. HURLEY
United States District Judge

Dated: Central Islip, New York
February 8, 2006